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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/688,406	10/17/2003	Keith A. Thuerk	BOC9-2003-0034 (403)	1299
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AKERMAN SENTERFITT P. O. BOX 3188 WEST PALM BEACH, FL 33402-3188			EXAMINER ULRICH, NICHOLAS S	
			ART UNIT	PAPER NUMBER
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			10/14/2008	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/688,406	<b>Applicant(s)</b> THUERK, KEITH A.	
	<b>Examiner</b> NICHOLAS S. ULRICH	<b>Art Unit</b> 2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 03 September 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1 and 4-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 4-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### DETAILED ACTION

1. Claims 1 and 4-10 are pending.
2. Claims 1 and 5 are amended.
3. Claims 2, 3, and 11-26 are cancelled.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1 and 4-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Perry et al. (US 7020696 B1).

In regard to claim 1, Perry discloses a method for presenting system services comprising the steps of:

categorizing said system services by functional groups (*Column 51 lines 3-35, and Column 59 lines 16-28*);

establishing a plurality of system service profiles, each system service profile representing a customized subset of the system services (*Column 47 lines 27-44 and Column 45 lines 17-60*);

detecting a request for the presentation of system services from a user (*Column 50 lines 39-47*);

ascertaining an identity of the user and at least one computing device associated with the request (*Column 50 lines 39-47*);

determining a privilege group associated with the user (*Column 48 lines 24-32*);

determining at least one of said system service profiles corresponding to the user, the privilege group, and/or the at least one computing device (*Column 50 lines 39-47*);

determining at least one system service to be displayed in accordance with the at least one determined system service profile (*Column 47 lines 25-50 and Column 49 lines 14-19*);

and displaying the determined at least one system service within a graphical user interface in an order based on the categorization (*Column 51 lines 3-35*).

In regard to claims 4 and 5, Perry discloses further comprising the steps of

categorizing said system services by computing device (*Column 50 lines 39-47*);

In regard to claim 6, Perry discloses said establishing step further comprising the step of:

providing a system services configuration interface so that authorized users can modify at least one system service profile (*Column 48 lines 9-11*).

In regard to claim 7, Perry discloses said providing step further comprising the steps of:

providing a series of views to perform a task relating to at least one system service profile in a step-wise fashion, whereby said series of views represent a system service profile configuration wizard (*Column 48 lines 9-19*).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Perry et al. (US 7020696 B1) in view of Microsoft Computer Dictionary (Microsoft Press, 2002).

In regard to claim 10, while Perry teaches providing service profiles and listing the services associated with those profiles, Perry fails to disclose integrating the service profiles with a directory service of an operating system including a Microsoft Active Directory.

However, the Microsoft Computer Dictionary teaches an active directory that is designed to enable applications to find, use, and manage directory resources including user names and permissions (*Microsoft Computer Dictionary pg 16*). It would have been obvious at the time of invention to those skilled in the art, to incorporate the teachings of Microsoft Computer Dictionary and integrate service profiles within an

active directory. The motivation would be to simplify directory-related activities associated with locating and administering network users and resources as taught by Microsoft Computer Dictionary (*pg 16*).

6. Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Perry et al. (US 7020696 B1) with reference to Background section of present invention.

In regard to claim 8, Perry fails to disclose the system services are Microsoft system services that execute within a Microsoft Windows type operating system.

However, the background section of the present invention discloses Microsoft system services. Therefore it would have been obvious to one skilled in the art at the time of invention to include system services which are Microsoft system services. The motivation would be to manage system services as disclosed by the background section of the present invention.

In regard to claim 9, Perry fails to disclose presenting system services within a graphical user interface included within the Microsoft Configuration Utility.

However, the background section of the present invention discloses the Microsoft Configuration Utility, which is used for managing system services. Therefore it would have been obvious to one skilled in the art at the time of invention to present system

services within the Microsoft Configuration Utility. The motivation would be to manage system services as disclosed by the background section of the present invention.

***Response to Arguments***

7. Applicant's arguments filed 9/03/2008 have been fully considered but they are not persuasive.

Applicant argues that the subject matter of Perry has nothing to do with the subject matter of the present invention. The examiner respectfully disagrees. As indicated by applicant, on pg 7 lines 4-5 of the remarks filed 9/03/2008, the present invention is directed towards method for customizing the display of system services within an administrative interface. Perry discloses, in column 8 lines 64-66, "the present invention provides a massively scalable, highly reliable comprehensive network management system". Further disclosed by Perry, in Column 9 lines 1-22, "network management systems (NMSs) are used to configure and manage multiple heterogeneous and/or homogeneous network devices" and "to configure a network address, the network administrator uses the NMS to provision services". The subject matter of Perry discussed by applicant, in pg 7 line 13 - pg 8 line 10 of the Remarks filed 9/03/2008, is only one aspect of Perry invention. This subject matter deals with how and where a user logs onto the NMS server and manages the network, along with the system services of the network. This in no way defines the entire aspect of Perry's invention. Throughout Perry's disclosure, as indicated in the above rejections, Perry teaches aspects of how the NMS will display the multiple network devices for management by a user. There are teachings of using profiles and functional groups to

display the NMS to the user, as evident in the rejections above. Therefore Perry's invention is clearly related to the display of system services within an administrative interface.

Applicant argues that the cited section of Perry, col. 59 lines 15-28 fails to teach "categorizing said system services by functional groups" and "displaying the determined at least one system service within a graphical user interface in an order based on the categorization". The examiner will admit that this section does not disclose all the limitations, it should be pointed out in the rejection of this limitation of claim 1 on the previous office action dated 7/23/2008, the examiner cited Column 51 lines 3-35 along with col. 59 lines 15-28. As indicated in col. 51, Perry discloses that "each group may include one or more configured resources within the network, and the resources of each group may be related in some way". Perry further discusses an example wherein several groups could be created for Walmart network devices, wherein the resources are grouped based on location in the United States and users are given access to one or more groups. Therefore system services are categorized by functional groups and displayed to the user based on the categorization.

For these reasons and the cited passages in the rejections above, the examiner believes Perry to teach each and every element of claim 1, and therefore the claims remain rejected over the cited reference, Perry (US 7020696 B1).



***Conclusion***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to NICHOLAS S. ULRICH whose telephone number is (571)270-1397. The examiner can normally be reached on M-TH 9:00 - 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dennis Chow can be reached on (571)272-7767. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Tadesse Hailu/  
Primary Examiner, Art Unit 2173

Nicholas Ulrich  
10/8/2008  
2173